

Duplicate of 777. l. i (21) above

Read 12 Feb. 1724.

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777. l. i.
24

A BILL for the better *Viewing, Searching and Examining* of all *Drugs, Medicines, Waters, Oyls, Compositions*, used or to be used for Medicines in all *Places* where the same shall be exposed to Sale, or kept for that Purpose, within the City of London and Suburbs thereof, or within Seven Miles Circuit of the said City; And also, For the Providing a Remedy for the President and College of Physicians in London, to have the Bodies of Persons executed for Felony, or other Offences, within the City of London, and Counties of Middlesex and Surrey, according to the Charters within-mentioned.



Whereas King Henry VIII. by his Letters Patents, under the Great Seal bearing Date at Westminster, the Twenty third Day of September in the Tenth Year of his Reign, for the Common-wealth of his Realm, in due exercising and practising of the Faculty of Physick, and good Ministration of Medicines to be had, did erect, found, and establish a College, Commonalty, or Incorporation of Physicians in the City of London, to be, remain, and have Existence for Ever. And by the same Letters Patents did further give and grant unto John Chambre, Thomas Linacoe, Ferdinando de Vitoria, Nicholas Halsewell, John Francis, and Robert Taxley, then learned, discreet, and profound Practicers in the Faculty of Physick in the said City of London, that they, and all of the said Faculty of Physick of and in the said City should for Ever thenceforth be in Name and Deed one Body and Perpetual Commonalty or College. And further by the same Letters Patents, did give and grant unto the said College and Commonalty full Power, Ability and Authority for Ever, annually to elect and make One of the said College or Commonalty to be President of the said College or Commonalty, for the taking care and governing thereof for that Year; And that the same President, College or Commonalty should have perpetual Succession, and a Common Seal for the Service of the said President and Commonalty for Ever. And by the same Letters Patents did also further give and grant unto the said President, College or Commonalty, and their Successors, that they the said President, College, or Commonalty, and their Successors, might lawfully, and without Danger, make among themselves lawful Assemblies, and Statutes, and Ordinances for the good Government, Overseeing, and Correcting of the said College or Commonalty, and of all Men exercising the same Faculty in the said City, or within Seven Miles Circuit thereof, as Necessity should require, when, and



and as often as there should be Occasion, And that none should exercise the said Faculty in the said City, or within Seven Miles Circuit thereof, unless licensed thereunto by the said President and Commonalty, or their Successors, for the Time being, by the Letters of the same President and College, sealed with their Common Seal, under the Penalty of One hundred Shillings for every Month in which he should exercise the said Faculty without being so licensed, Half thereof to be applied to His said Majesty, and His Heirs, and Half to the said President and College. And by the same Letters Patents, did further grant, That Four Persons should Every Year be chosen by the said President and College, for the Time being, and their Successors for Ever, who should have the supervising and searching, correcting and governing of all and every the Physicians of the said City using the Faculty of Physick in the same City, and other Foreign Physicians, whomsoever, in any manner using and practising that Faculty of Physick within the said City, and the Suburbs thereof, or within Seven Miles Circuit of the same City, and the punishing of them for their Offences in not well executing, practising, or using that Faculty; And also the supervising and searching of all manner of Medicines and the Receipts thereof, to be given, administered, and applied by the said Physicians, or any of them, to the said King's Subjects for the curing and healing of their Infirmities, when, and as often as there should be Occasion, for the Benefit and Advantage of the said Subjects, so that the Punishment of such Physicians, using the said Faculty of Physick so offending in the Premises, might be executed by Fines, Amerciaments, Imprisonments of their Bodies, and by other fit and reasonable Ways.

And whereas in the Parliament held at London the Fifteenth Day of April in the Fourteenth Year of the Reign of the said King Henry the Eighth, and from thence adjourned to Westminster the last Day of July, in the Fifteenth Year of the Reign of the same King, and there held, Reciting, That forasmuch as the making the said Corporation was meritorious, and very good for the Common-Wealth of the Realm, it was Enacted, That the said Corporation of the said Commonalty and Fellowship of the Faculty of Physick aforesaid, and all and every Grant, Articles, and other Thing contained and specified in the said Letters Patents should be approved, granted, ratified and confirmed in the same Parliament, and clearly authorized and admitted by the same good, lawful and available to the said Body Politick, and their Successors for ever, in as ample and large Manner as may be taken, thought, and construed by the same.

And whereas by one other Act of Parliament, made in the Thirty Second Year of the Reign of the said King Henry VIII. entitled, *For Physicians and their Privileges*; it is, among other Things, enacted, ordained, and established for the Common-Wealth, and Surety of the Subjects of this Realm, That the President for the Time being, Commons and Fellows of the said Corporation, and their Successors, might Yearly, at such Time as they should think most meet and convenient for the same, elect and choose Four Persons of the said Commons and Fellows of the best learned, wisest, and most discreet, such as they should think convenient and have Experience in the said Faculty of Physick, and that the said Four Persons so elected and chosen, after a corporal Oath to them ministred by the said President or his Deputy, should, and might, by Virtue of that Act, have full Authority and Power, as often as they should think meet and convenient, to enter into the House or Houses of all and every Apothecary, then or at any time then after using the Mystery or Craft of Apothecary, within the said City only, to search, view, and see such Apothecary Wares, Drugs, and Stuffs, as the Apothecaries, or any of them, had, or at any Time then after, should have in their House or Houses; and all such Wares, Drugs, and Stuffs, as the said Four Persons should then find defective, corrupted, and not meet nor convenient to be ministred in any Medicines for the



the Health of *Man's* Body, the same Four Persons, calling to them the Wardens of the said Mystery of Apothecaries within the said City for the Time being, or One of them, should cause to be brent, or otherwise destroy the same, as they should think meet, by their Discretion; and if the said Apothecaries, or any of them, at any time then after, should obstinately or willingly refuse or deny the said Four Persons Yearly elected and chosen, as is aforesaid, to enter into their said House or Houses for the Causes, Intent, and Purpose before rehearsed, that they, and every of them, so offending, contrary to the said last recited Act, for every Time that he or they should so offend, to forfeit One hundred Shillings, the one Half to his Majesty, and the other Half to him that would sue for the same, by Action of Debt, Bill, Plaint or Information in any of the King's Courts, wherein no Wager of Law, Essoin, or Protection should be allowed,

And whereas by one other Act, made in the First Year of the Reign of Queen Mary, Intituled, *An Act touching the Corporation of the Physicians in London*, it is, among other Things, Enacted, for the better Execution of the Search and View of Poticary Wares, Drugs, and Compositions according to the Tenour of the said Statute made in the Thirty Second Year of the Reign of the said King Henry VIII. that it should be lawful for the Wardens of the Grocers, or one of them, to go with the said Physicians in their View and Search, and that if the said Warden or Wardens should refuse or delay his or their coming thereunto, forthwith, and immediately, when the said President or Four of his College, elect as aforesaid, should call upon him or them, that then the said Physicians might and should execute that Search and View, and the due Punishment of the Poticaries, for any their evil and faulty Stuff, according to the Statute therein last before mentioned, without the Assistance of any of the said Wardens; any Clause in the said therein aforesaid Statute to the contrary thereof notwithstanding: And every such Person or Persons as would or should resist such Search, should forfeit for every such Resistance, Ten Pounds, the same Penalty to be recovered in the Manner in the same Act mentioned.

And it is thereby further Enacted, That all Justices, Mayors, Sheriffs, Bayliffs, Constables and other Ministers and Officers within the City, and Precincts above-written, upon Request to them made, should help, aid and assist the President of the said College, and all Persons by them from time to time authorized for the due Execution of the said Acts or Statutes, upon Pain, for not giving of such Aid, Help and Assistance, to run in Contempt of the QUEEN's Majesty, her Heirs and Successors; as by the said several recited Statutes may appear.

And whereas it has been found by Experience, that the said several recited Statutes, and the Powers thereby given to the said College of Physicians, and such Four Persons chosen by them as aforesaid, have been very beneficial to the Subjects of this Realm; But nevertheless, divers other Apothecaries dwelling in the Suburbs of the said City, and in Places in the Country within Seven Miles Circuit of the same City, and also divers other Persons, as well as Apothecaries inhabiting within the said City of London, or Seven Miles Circuit of the same City, do sell Drugs, Oyls, Waters and Compositions used or to be used for Medicines which ought to be viewed, searched, and examined, as well as those prepared and sold by the Apothecaries, and the want of sufficient Powers for that Purpose, may be very detrimental to the Health of his Majesty's Subjects:

For Remedying whereof, Be it Enacted, by the KING's Most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and the Commons, in this present Parliament assembled, and by the Authority

thority of the same, That the Four Persons chosen, or to be chosen annually, by the President and Fellows of the said College, or their Successors, for the Time being as aforesaid, according to the said Charter, which Four Persons are now commonly called Censors of the said College, or any of such Persons so chosen, or to be chosen, calling to their Assistance the Wardens of the said Mystery of Apothecaries within the said City of London for the Time being, or of them, shall and may have free and full Power, and lawful Authority from Time to Time, and at all Times hereafter, when, and as often as such Censors, or any of them shall think meet and convenient, at fit and reasonable Times in the Day-time, to enter into the House, Shop, Cellar, Vault, Workhouse, Warehouse, or any other Room or Rooms, of the House or Houses of any Apothecary, or other Person or Persons, who now doth, or hereafter shall, keep for Sale, or shall Sell, or put to Sale, any Medicines, Drugs, Waters, Oyls, or Compositions, used, or to be used, for Medicines, within the said City of London and Suburbs thereof, or within Seven Miles Circuit of the said City; and then and there to search, view, and examine the said Medicines, Drugs, Waters, Oyls, and Compositions of such Apothecary, or other Person or Persons as aforesaid; and all such Medicines, Drugs, Waters, Oyls and Compositions, as the said Censors, or any of them, for the Time being, upon every such Search, View, and Examination, shall find and adjudge to be defective, corrupted, or decayed, and not meet to be administered, or used in Medicine for the Health of Man's Body, the said Censors, or any of them, for the Time being, shall and may, from Time to Time, and at all Times hereafter, upon every such Search, View, and Examination, take and burn, or otherwise destroy the same, or cause the same to be taken and burnt, or otherwise destroyed.

And be it further Enacted, by the Authority aforesaid, That for the better Execution of the said Search, and View of such Medicines, Drugs, Waters, Oyls, and Compositions as aforesaid, if the Wardens of the said Mystery of Apothecaries in London for the Time being, and every of them, shall at any Time refuse or neglect coming to, or going with the said Censors, or any of them, for the making of any such Search and View as aforesaid, at such Time and Place, as such Censors for the Time being, or any of them shall appoint, that then the said Censors for the Time being, or any of them, shall and may have and execute such Power and Authority, for the viewing, searching, and examining such Medicines, Drugs, Waters, Oyls, and Compositions as aforesaid, and the taking and destroying such thereof, as they shall so find and adjudge to be defective, corrupted or decayed, and not meet to be administered in Medicine, for the Health of Man's Body; any thing herein before contained to the contrary in any-wise notwithstanding.

And be it further Enacted, by the Authority aforesaid, That every such Apothecary, or other Person or Persons, who shall at any Time hereafter, resist, obstruct, or hinder, any such Search, View, or Examination, according to this Act, shall for every such Offence

And whereas several Lectures of Anatomy and other Lectures have been heretofore founded, which are Annually several Times read by some of the Fellows of the said College of Physicians in their Publick Theatre or College in the said City of London, for the beeter promoting of the Study and Practice of Physick, for the Encouragement whereof the late Queen *Elizabeth*, by her Letters Patents under the Great Seal, bearing Date at *Westminster* the Twenty fourth Day of *February* in the Seventh Year of her Reign, did grant unto the said President and College or Commonalty, and their Successors or Assigns, that they should for the then Time to come for ever Yearly have and take at one Time, or at divers Times in the Year, at the Discretion, Liberty and Pleasure of the said President for the Time being, and his Successors, One, Two, Three or Four Human Bodies to be Dissected and Anatomized, which by the Laws of this Land should be condemned and put to Death for Theft, Murder, or any other Felony, within the County of *Middlesex*, or the said City of *London*, or elsewhere within Sixteen Miles of the said City, in any Connty whatsoever; without the Hindrance of the said Queen, or her Heirs or Successors, or of her Sheriffs, Bailiffs, Serjants at Mace, or other Officers whatsoever, or any of them.

And that it should be lawful for the said President, and College or Commonalty, and their Successors and Assigns, Professors of, and learned in Physick, to dissect and use the same Bodies as they should think fit, for increasing the Knowledge of Physick, and the Experience thereof, for the Health of her Subjects, as by the said Letters Patents of the said late Queen appears.

And whereas the late King *Charles II.* by his Letters Patents under the Great Seal, bearing Date at *Westminster*, the Twenty sixth Day of *March*, in the Fifteenth Year of his Reign, did also give and grant to the said President and College or Commonalty, and their Successors, that it should and might be Lawful for them and their Successors Yearly, and every Year for ever then after, at their free Liberty and Pleasure, to have and take, at once or several Times, without Contradiction, the Dead Bodies of Six several Persons of Men or Women condemned, adjudged, and put to Death, for Felony or other Offence, by the due Course and Order of the Laws of this Realm, within his said City of *London*, or his Counties of *Middlesex* and *Surry*, or either of them, for Anatomies, without any further Sall, Licence or Commission to or from him his said late Majesty, his Heirs or Successors, to be had, made, or obtained for the same, and from Time to Time, to make Incision of the same Dead Bodies, or otherwise to order the same, at their Liberty and Pleasure, for their further and better Knowledge, Instruction, Insight, Learning and Experience, in the Faculty and Science of Physick and Chyrurgery, as by the said Letters Patents of the said late King *Charles II.* more fully appears.

And whereas it is necessary, That the said President and College or Commonalty, and their Successors, should from Time to Time, have such dead Bodies of Condemned Felons, so being put to Death as aforesaid, for the better promoting their Lectures of Anatomy, and other Lectures for the good Ends and Purposes aforesaid; but many Felons from Time to Time, so Condemned to be

Executed, through the Dread which they have from the Apprehension of their Bodies being to be Dissected after their Execution, do very often engage and prevail on their Confederates, and other disorderly People, to take and carry away the Executed Bodies, and the Sheriffs Officers pretend, That they are not obliged, to secure and detain such Bodies for the said President and College; by which means, the said President and College are deprived of the Benefit of the Privilege granted to them by the said Royal Charters, in relation to such Executed Bodies for the Publick Uses aforesaid, and Malefactors are in some measure encouraged.

For Remedy whereof, Be it Enacted, by the Authority aforesaid, That the said recited Letters Patents, so made and granted by the said Queen *Elizabeth* and King *Charles II.* and the said Powers, Liberties and Privileges thereby granted, and herein before recited, be, and are hereby fully approved, granted, ratified, confirmed and established unto the said President and College or Commonalty, and their Successors for ever, by Virtue and Authority of this present Parliament.

And be it further Enacted, by the Authority aforesaid, That the said President and College or Commonalty of the Faculty of Physick in *London*, and their Successors, Yearly for ever, at the Discretion of the President or Vice President of the said College for the Time being, at his free Liberty and Pleasure, shall and may have and take, without Contradiction, the dead Bodies of Six Persons Condemned, Adjudged and put to Death for Theft, Murder, or other Felony by the Laws of this Realm, to be by them the said President and College or Commonalty, or their Successors or Assigns, Dissected and Anatomized, without any further Suit to be made to the King's Majesty, his Heirs or Successors, for the same; and to Dissect, or otherwise order such dead Bodies, as they the said President and College or Commonalty, or their Successors, shall think fit at their Pleasures, for their better and further Knowledge, Instruction, Learning and Experience in the Faculty of Physick; And that when any Person or Persons shall be condemned and put to Death for Theft, Murder or other Felony as aforesaid, and the President or Vice President of the said College or Commonalty for the Time being, shall by any Warrant or Writing to be by either of them Signed, require of and from the Sheriffs of *London* and *Middlesex* or County of *Surry* for the Time being, for the Use of the said President and College or Commonalty, any such dead Body of such Condemned Person or Persons so put to Death and Executed as aforesaid; which Warrant or Writing shall be delivered to the Sheriffs of the City of *London* or Counties of *Middlesex* and *Surry* for the Time being respectively, or their respective Deputy or Under-Sheriff, on the Day before such Condemned Person or Persons shall be Executed and put to Death, such respective Sheriff or Sheriffs, to whom or to whose Under-Sheriff or Deputy, any such Warrant or Writing shall be so directed and delivered as aforesaid, shall and are hereby impowered and required to order, direct, and cause some or one of their respective Officers, to bring and deliver to and for the said President and College or Commonalty, at and in their College, situate in *Warwick-Lane* in the said City of *London*, or at or in such other Place within the said City, as such

President or Vice President shall, by such his Warrant or Writing, appoint unto the Beadle or other Officer of the said President and College or Commonalty for the Time being, such dead Body or Bodies of such Condemned Person or Persons who shall be so Executed and put to Death, on the same Day on which such Person or Persons shall be so Executed and put to Death, upon Pain of

And the Officer or Servant of such Sheriff, who shall so bring or deliver such Body of any such Condemned Person so Executed and put to Death as aforesaid, shall have and receive the Sum of _____ of the said President and College or Commonalty, or their Successors, for every such Body so brought and delivered for his Pains and Trouble therein.

Provided always, And it is hereby Enacted, That the said President and Vice-President of the said College for the Time being, shall not demand or require any more than Six dead Bodies of Condemned Persons, so put to Death and Executed in any one Year; any thing herein before contained to the contrary thereof in any-wise notwithstanding.



